

Docket Item # 1
BAR CASE # 2011-0098

BAR Meeting
November 16, 2011

ISSUE: Alterations (Arbor)
APPLICANT: Martha Gabriel
LOCATION: 108 Quay Street
ZONE: RM/Townhouse Zone

STAFF RECOMMENDATION: Staff recommends approval of the application as submitted.

****EXPIRATION OF APPROVALS NOTE:** In accordance with Sections 10-106(B) and 10-206(B) of the Zoning Ordinance, any official Board of Architectural Review approval will expire 12 months from the date of issuance if the work is not commenced and diligently and substantially pursued by the end of that 12-month period.

****BUILDING PERMIT NOTE:** Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by the Code Enforcement Bureau (including signs). The applicant is responsible for obtaining all necessary construction permits after receiving Board of Architectural Review approval. Contact Code Enforcement, Room 4200, City Hall, 703-746-4200 for further information.



BACKGROUND

On April 26, 2011, the applicant was issued a building permit (BLD2010-02150) to construct a one-story rear screened porch after Staff mistakenly determined that the porch would not be visible from the public right-of-way. Staff came to that conclusion after conducting a site visit, believing that since the townhouse on the corner of North Union and Quay Streets appears to be well over three stories on Union Street – paired with the street grade level of the pedestrian alley entrance behind the 100 block of Quay Street – that 108 Quay Street (as well as the other townhouses in this row) was a full three stories in height on both the front and rear elevations. Staff did not initially understand that the rear yards were filled and elevated to what is, effectively, the second floor grade. After construction began, BAR Staff was contacted by neighbors and a Stop Work Order was issued (ZEN2011-00262) because the upper portions of the porch roof were visible from the public right-of-way.

Following the issuance of the Stop Work Order, the applicant immediately complied and filed an application to the BAR for approval of the screened porch. However, prior to the BAR hearing, an open space deficiency in the original building permit application was identified. At the October 13, 2011 Board of Zoning Appeals hearing (BZA 2011-0008), the BZA deferred the applicant's request for an open space variance in order to allow the applicant to address additional questions raised during the hearing. The applicant subsequently withdrew the variance request. Since that time, the applicant has revised the original BAR application for a screened porch and now proposes to construct a garden arbor. Because the arbor is a minimum of 80% open to the sky, the applicant no longer has an open space deficiency. An arbor will allow the applicant to have an architectural outdoor garden element, while reducing the bulk of the previously proposed screened porch.

I. ISSUE:

The applicant is requesting approval of a Certificate of Appropriateness for the construction of an arbor at 108 Quay Street. The arbor will be constructed on the same footprint as the previously proposed screen porch, and will use some of the framing materials of the partially constructed porch. Figure 5 shows the partially constructed screen porch taken around the time of the BZA hearing. A more recent photo, Figure 2, shows the structure without the porch roof framing. Two of the six porch posts will be removed, and one will be relocated so that the arbor will be supported by four, six-by-six wood posts. As a result of the relocation of the northwestern post, the HVAC condenser will be moved farther into the rear yard. The existing horizontal beams that abut the house will remain. The upper dimensions of the arbor, at the very outer limits, will be approximately 14.5 feet x 11 feet x 10 feet 4 inches tall. The rafters – with the characteristic ogee shaped rafter tail ends often seen in Colonial Revival style arbor designs – will run in a north-south direction and will be located approximately 16 inches on center. On top of the rafters will be a 2x2 lattice framework running perpendicular in an east-west direction at 16 inches on center to support future plant growth. The wood elements will be stained white to match the trim on the house.

II. HISTORY:

The three-story, interior townhouse at 108 Quay Street is one of a group of 86 three-story brick townhouses bounded by North Union, North Lee, Queen and Oronoco Streets which were

constructed in 1971. This area was not included in the Old and Historic Alexandria District until June of 1984.

Staff could locate no previous BAR approvals for the subject property. However, since the neighborhood was included in the district in the mid-1980s, the Board has approved a number of bay windows at the second and third stories, the addition of dormers on front elevations, as well as rear additions and alterations. Furthermore, there are a number of arbors within this two block development, including arbors at the two townhouses to the west, 110 and 112 Quay Street (Figures 6 and 7). The arbor at 110 Quay Street is at the rear of the lot while the arbor at 112 Quay Street abuts the rear wall of the house. Of the two neighboring arbors, only 112 Quay Street is minimally visible from the public right-of-way (Figure 9). Two other arbors within the development, 124 Quay Street and 124 Princess Street, are visible from South Lee Street (Figure 10). Staff could not locate any BAR approvals for the visible arbors, meaning that they were either erected without Board approval or they predate this development's inclusion in the historic district.

III. ANALYSIS:

Arbors and trellises are permitted in any yard by zoning ordinance section 7-202(A)(5). By a longstanding Staff interpretation, they do not reduce required open space so long as they are a minimum of 80% open to the sky.¹ The proposed arbor may not, therefore, be roofed or enclosed with screens, glass or any other materials, with the exception of living vines or climbing plants. The ordinance does not presently limit the height or area of an arbor.

The Board has routinely approved arbors² and trellises³ throughout the historic district over the years, including, but not limited to, the following residences (Figure 11):

- 320 North Columbus Street
- 201 Duke Street
- 202 Duke Street
- 204-206 Duke Street
- 505 South Lee Street
- 307 South St. Asaph Street
- 319 South St. Asaph Street

The BAR's *Design Guidelines* chapter on accessory structures and outbuildings recommends that free-standing accessory structures, including their materials and exterior finishes, "...should complement, not compete with, the architecture of the main building." Furthermore, the

¹ "The zoning ordinance permits, as an encroachment into required yards, an arbor or trellis. See section 11-702(A)(5). Those terms are not defined in the ordinance but, in order to maintain the intent that yards be open to the sky, staff construes a permissible arbor or trellis to be at least 80 percent open. Staff also believes that a pergola, while technically different from an arbor or trellis, is within the same group of structures the 'arbor or trellis' language envisions as permissible." (BZA Case #1995-0050, January 11, 1996).

² "**Arbour:** Garden-building constructed of timber, lattice-work, and wicker-work, intended to be covered with climbing plants." Curl, James Stevens. *Oxford Dictionary of Architecture and Landscape Architecture*. 2nd ed. Oxford University Press, 2006. (p. 32)

³ "**Trellis:** 1. Any screen-work made of thin strips (usually timber laths) crossing each other, either at 90 degrees or set diagonally, forming a lattice of lozenge-shapes, as in an arbour or any framework supporting vines or other plants." Curl, James Stevens. (p. 789)

Guidelines, in the chapter addressing fences, garden walls and gates, recommends that all wood material be either painted or stained. Staff finds the proposed arbor to be very simple in design and complementary to the Colonial Revival style design of the 1971 townhouse, and the materials used (wood) and the treatment of (stained) are both in compliance with the recommendations contained in the *Design Guidelines*. The arbor design is stylistically very similar to the other arbors within the development.

As the Board members will note during their site visit, the visibility of the arbor from a public way is minimal, especially in the summer months when there is significant vegetation in the rear yards of the townhouse along Quay Street. Attached are two photos taken by Staff, one on May 5, 2011, showing the partially constructed screened porch from Founders Park (Figure 8) and one taken in roughly the same location on November 3, 2011 showing the two horizontal beams which will be part of the future arbor (Figure 9). When constructed, the arbor rafters will be approximately 1.5 feet above the visible beams.

As noted above, the Board has reviewed a number of arbors within the historic district over the years. In many of these cases, the arbors are much larger, abut historic buildings and are highly visible from a public right-of-way. Given the late 20th century age of the townhouses in this development, the appropriate architectural style and the limited visibility of the proposed arbor from a public way, Staff recommends approval of application.

IV. STAFF RECOMMENDATION:

Staff recommends approval of the application as submitted.

V. CITY DEPARTMENT COMMENTS:

Legend: C - code requirement R - recommendation S - suggestion F- finding

CODE ADMINISTRATION

- F-1 The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Thomas Sciulli, Plan Review Supervisor at thomas.sciulli@alexandriava.gov or 703-746-4190. (Code)
- C-1 Additions and alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of architectural quality drawings shall accompany the building permit applications that fully detail the construction/alteration.
- C-2 New construction must comply with the 2009 edition of the Uniform Statewide Building Code (USBC).
- C-3 Upon submission for a building permit, a footer detail indicating compliance with the USBC will also be required for the relocated post.

TRANSPORTATION & ENVIRONMENTAL SERVICES

- F1. Based on the information provided, an approved grading plan shall not be required at the time of building permit application. (T&ES)
- F2. No Resource Protection Area (RPA) is located within the parcel. (T&ES)
- R1. The building permit plans shall comply with requirements of City Code Section 5-6-224 regarding the location of downspouts, foundation drains and sump pumps. Refer to Memorandum to Industry dated June 18, 2004. [Memorandum is available online at the City web site under Transportation\Engineering and Design\Memos to Industry.]. (T&ES)
- R2. Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 Roof, surface and sub-surface drains be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec.5-6-224) (T&ES)
- C-4 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
- C-5 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

VI. IMAGES

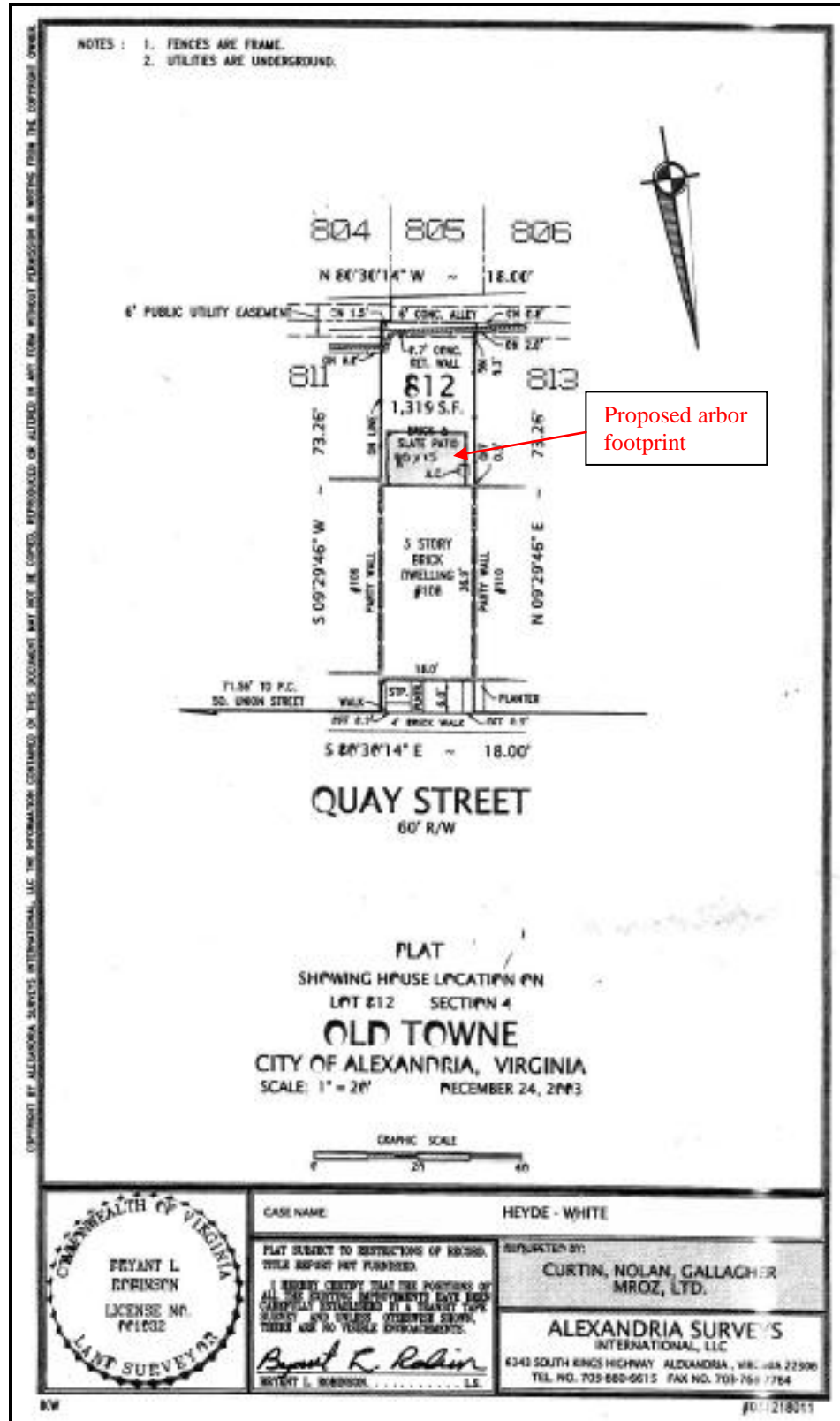


Figure 1: Previously submitted plat showing footprint of screened porch, now arbor.

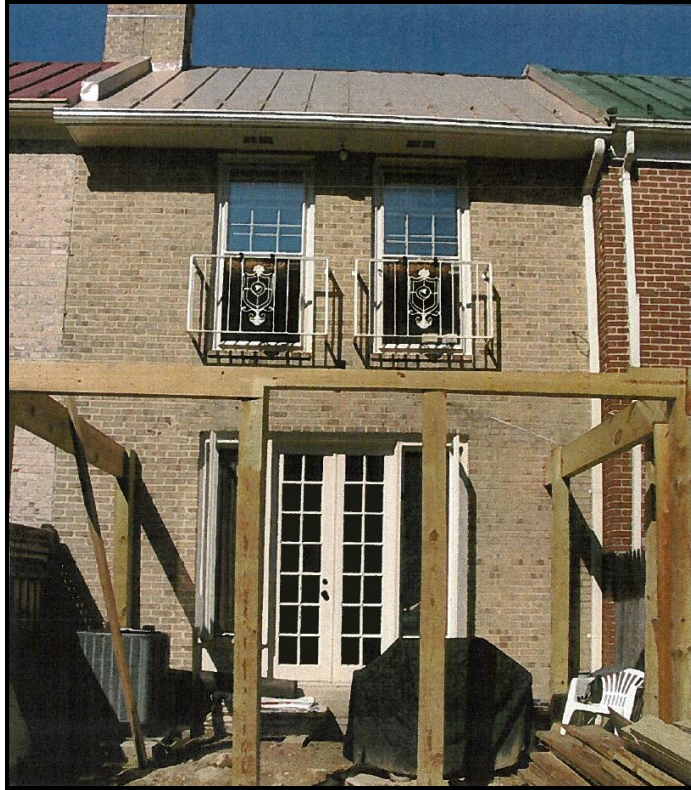


Figure 2: Photo of partial arbor framing taken by applicant.

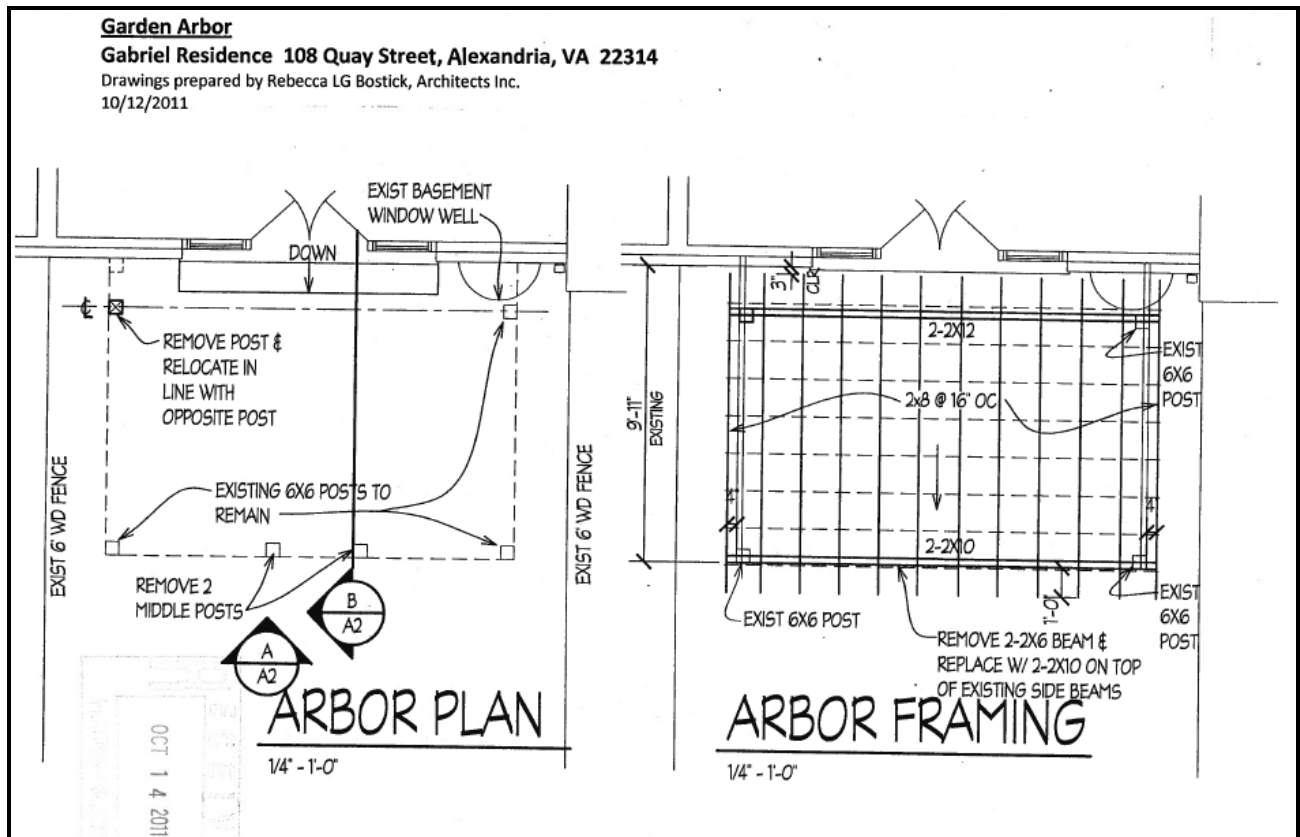


Figure 3: Arbor plan and framing.

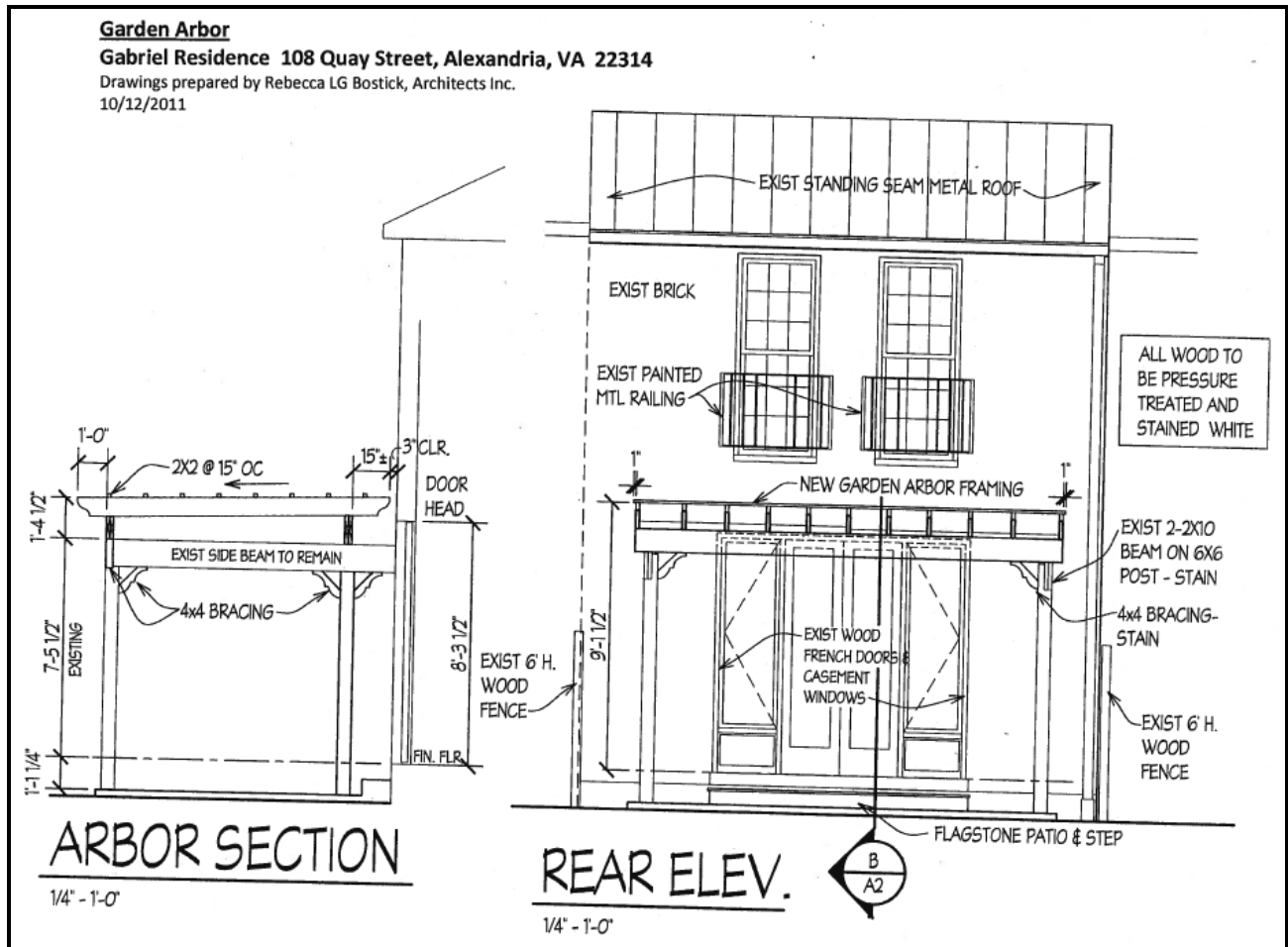


Figure 4: Section and rear elevation of proposed arbor.



Figure 5: Photo of partially constructed screened porch, taken September 2011. Roof framing now removed.

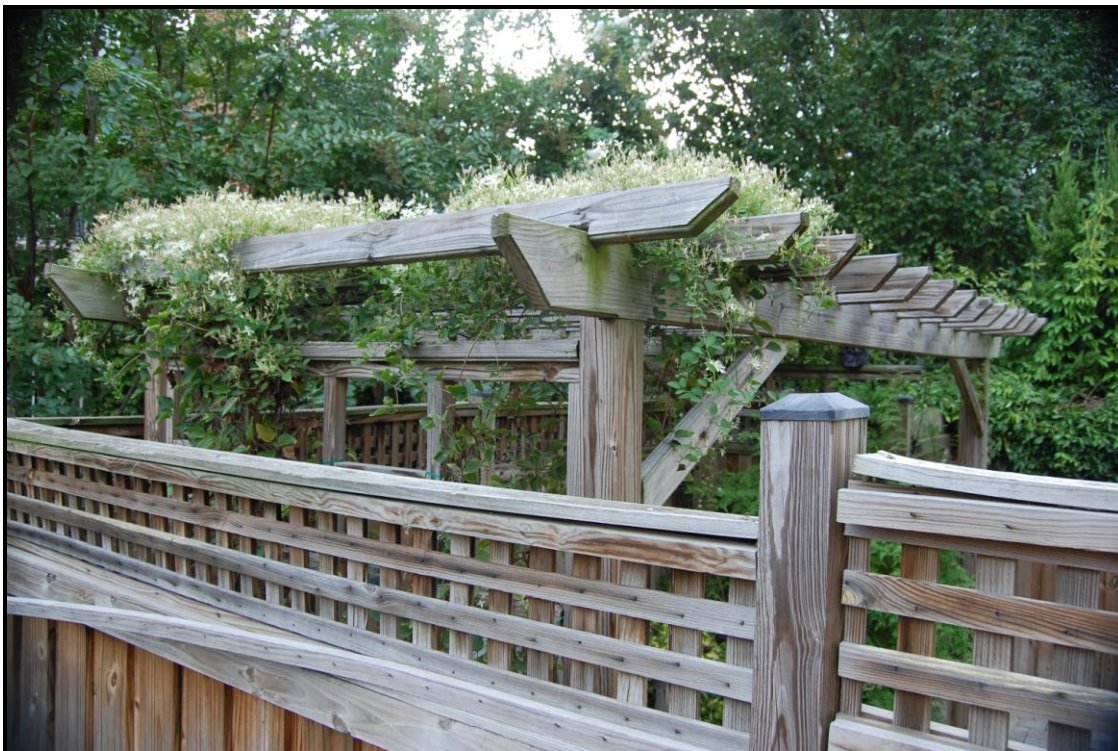


Figure 6: Photo of arbor at 110 Quay Street (taken from 108 Quay Street yard).



Figure 7: Photo of arbor at 110 Quay, left, and of vine covered arbor at the rear of 112 Quay Street, beyond (taken from 108 Quay Street rear yard).



Figure 8: Staff photo from Founders Park showing roof of partially constructed screened porch in May.



Figure 9: Staff photo showing arbor framing taken from Founders Park November 5, 2011.



Figure 10: Photos of similar arbors at 124 Quay Street and 124 Prince Street from North Lee Street.



Figure 11: BAR approved arbors in the Old & Historic Alexandria District.